

FROM :Gould & Whitley

FAX NO. :17195310996

Feb. 28 2005 10:40AM P1

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LINDA FLEWELLEN GOULD, P.C.  
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**FACSIMILE TRANSMISSION COVER SHEET**

DATE: 2/28/05 TIME: 10:15 am  
TO: Examiner Milton Cano FAX: 719-872-9306  
RE: Serial # 09/992,735 James Copelan For Healthy Diet System  
FROM: Linda Gould Reg # 31,515  
TOTAL NUMBER OF PAGES TRANSMITTED        (including this cover sheet)  
DOCUMENTS:   1. Letter  
                2. Reply Under 37 CFR 1.116

COMMENTS:       

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28 February 2005

Examiner Milton Cano  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

By Facsimile  
719-872-9306

Re: Serial Number: 09/992,735  
Filing Date: 11/13/2001  
Applicant: James Bradford Copelan  
For: Healthy Diet System

AFTER FINAL

Dear Examiner Cano:

Thank you for your time last week as we discussed the above-referenced application.

I am filing today, by Express Mail, the Reply which accompanies this facsimile transmission. I have tried to be responsive to Examiner Becker's concerns regarding the d'Arbelles reference and have applied your suggestion to indicate in both the preamble and the claims that the process is to assist a person in adhering to a healthy diet.

Again, thank you for your time and assistance.

Sincerely,  
**GOULD & WHITLEY**  
a partnership of professional corporations



Linda Flewellen Gould  
LFG  
Encl.  
c: James Copelan

**COPY****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: James Bradford Copelan  
Serial No.: 09/992,735  
Filed: 11/13/01  
For: Healthy Diet System  
Group: 1761  
Examiner: Drew E. Becker

**REPLY UNDER 37 CFR 1.116**

Assistant Commissioner for Patents  
Alexandria, Virginia 20231

Sir:

This is a Reply to the Office Action dated October 5, 2004. Applicant requests entry of the amendments set forth in this Reply to present the claims in better form for consideration on appeal under 37 CFR 1.116(b).

This Reply includes the following components:

Amendments to the Claims	Pages 2 - 6
Remarks	Pages 7 - 9

Please amend the Claims as shown in the marked version of the Claims accompanying this Reply. In particular, the requested changes include modifying claims 6, 8, 23 – 28, 30, 32, 34, and 36 by adding and deleting as shown in the marked version.